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PTO/SB/01A (10-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**DECLARATION (37 CFR 1.63) FOR  
UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET  
(37 CFR 1.76)**

Application Number	09/853,556
Filing Date	May 11, 2001
First Named Inventor	Laurence J. Newell
Group Art Unit	2874
Examiner Name	Unassigned
Attorney Docket Number	20852-05134

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 09/853,556, filed on May 11, 2001  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: Laurence J. Newell Citizen of: USA

Signature: *Laurence J. Newell* Date: 10/3/01

Inventor two: David A. Pechner Citizen of: USA

Signature: *David A. Pechner* Date: 10-1-01

Inventor three: Augustus Elmer Citizen of: USA

Signature: *Augustus Elmer* Date: 9/25/01

Inventor four: David B. Upham Citizen of: USA

Signature: *David B. Upham* Date: 9/25/01

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.



Please type a plus sign (+) inside this box →



PTO/SB/81 (10-00)

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/853,556
Filing Date	May 11, 2001
First Named Inventor	Laurence J. Newell
Title	Control channel for an optical communications system utilizing frequency division multiplexing
Group Art Unit	2874
Examiner Name	Unassigned
Attorney Docket Number	20852-05134

I hereby appoint:



Practitioners at Customer Number

00758



Practitioner(s) named below:

Name	Registration Number
Michael W. Farn	41,015
Greg T. Sueoka	33,800
Eileen Lehmann	39,272

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:



The above-mentioned Customer Number.

I am the:



Applicant/Inventor **OR**



Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	Laurence J. Newell
Signature	
Date	10/13/01

I am the:



Applicant/Inventor **OR**



Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	David A. Pechner
Signature	
Date	10-1-01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.



Please type a plus sign (+) in this box →

PTO/SB/81 (10-00)

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT (supplemental sheet)

Application Number	09/853,556
Filing Date	May 11, 2001
First Named Inventor	Laurence J. Newell
Title	Control channel for an optical communications system utilizing frequency division multiplexing
Group Art Unit	2874
Examiner Name	Unassigned
Attorney Docket Number	20852-05134

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I am the:

☒

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OR

☐

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	Augustus Elmer
Signature	<i>Augustus Elmer</i>
Date	9/25/01

I am the:

☒

Applicant/Inventor

OR

☐

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name	David B. Upham
Signature	<i>David B. Upham</i>
Date	9/25/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.